

**POLICE DEPARTMENT
CITY OF NEW YORK**

July 28, 2017

From: Commanding Officer, Special Investigations Unit, Internal Affairs Bureau
To: First Deputy Commissioner
Subject: **CHARGES AND SPECIFICATIONS REQUESTED FOR CAPTAIN MARASH VUCINAJ, TAX# 907538, TRANSIT BOROUGH BROOKLYN**

1. Charges and Specifications are requested against Captain Marash Vucinaj, Tax #907538, Transit Borough Brooklyn for failure to notify Internal Affairs Bureau and Computer Misuse. This request is in connection with IAB Log#15-31329.

2. Captain Vucinaj is the subject of an investigation that disclosed that from April 14, 2015 through May 15, 2016, there were total of (10) ten separate incidents where Captain Vucinaj fail to notify Internal Affairs Bureau in a timely manner. An audit of OMNIFORM system disclosed that in 2016, Captain Vucinaj utilized the OMNIFORM application from February 2, 2016 through May 4, 2016, to view (6) arrest reports outside his designated Patrol Borough while assigned as the Executive Officer of the 101 Precinct. In 2017, Captain Vucinaj utilized the OMNIFORM application from January 1, 2017 through January 2, 2017, to view (199) arrest reports outside his Transit Borough while assigned as the Executive Officer of TD-30. The queries were conducted outside of his designated Patrol/District Precincts and the said inquiries were not within the purview of his assignment. Details are as follow:

- Log#15-35587, Incident Date: 11/14/15, Date reported: 11/18/15, Allegation: Theft of Time, Fail to Supervise. *(On 11/18/15, Captain Vucinaj called the IAB command center and reported allegation against PO Joseph for Theft of time and Lt Adesso for failed to supervise. Both officer assigned to the 101 Pct.) Reported the incident four days later.*
- Log#16-19556, Incident Date: 04/2016, Date reported: 06/01/16, Allegation: Fail to notify IAB, Misuse of Time. *(On 6/1/16, Captain Vucinaj called the IAB command center and reported allegations against Inspector Marmara for Misuse of Time-Straight Time and Captain Mahony for Fail to notify IAB.) Reported the incident a month later.*
- Log#16-19557, Incident Date: 05/15/16, Date reported: 06/01/16, Allegation: Report Incomplete/Inaccurate, Investigate In complete/Improper. *(On 6/1/16, Captain Vucinaj had called the IAB command center and reported allegation against Sgt Washington of 113 Pct for Report Incomplete/Improper and Officer Tssaabbast for Investigation Incomplete/Improper.) Reported the incident two weeks later.*
- Log#16-19558, Incident Date: 01/09/16, Date reported: 06/01/16, Allegation: Investigate Incomplete/Improper, Misreporting of Crime Statistics. *(On 6/1/16, Captain Vucinaj had called the IAB command center and reported allegation against DI Schiff and Lt Ruggiero for Investigate Incomplete/Improper and misreporting of crime statistics.) Reported the incident almost five months later.*
- Log#16-19561, Incident Date: 01/19/16, Date reported: 06/01/16, Allegation: Failed to supervise, Investigate Incomplete/Improper. *(On 6/1/16, Captain Vucinaj had called the IAB command center and reported an allegation against DI Urprasad for failed to supervise and Investigate Incomplete/Improper and Officer Smith for Disputed Arrest and Profiling.) Reported the incident four*

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ENCLOSURE 3(19, 4)

months later. A review of Patrol Duty Captain Monitoring Report for 1/19/16, Captain Vucinaj noted no violations observed at the 102 Precinct.

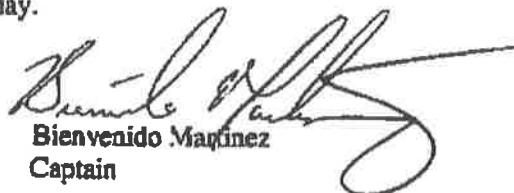
- Log#16-19562, Incident Date: 05/2015, Date reported: 06/01/16, Allegation: Misuse of Time. (On 6/1/16, Captain Vucinaj had called the IAB command center and reported an allegation against DI Raia for Misuse of Time.) Reported the misconduct approximately a year later. The subject officer received disciplinary action as the result of the investigation.
- Log#16-19563, Incident Date: 03/2016, Date reported: 06/01/16, Allegation: Misuse of Time on overtime. (On 6/1/16, Captain Vucinaj had called the IAB command center and reported allegation against Officer Dalessandro of 101 Pct for Misuse of Time on overtime.) Reported the incident three months later.
- Log#16-19565, Incident Date: 05/17/16, Date reported: 06/01/16, Allegation: Failed to supervise. (On 6/1/16, Captain Vucinaj had called the IAB command center and reported an allegation against Sgt Lagnese of 105th Pct for Fail to supervise, Incomplete/Improper Memo book and misuse of time.) Reported the incident two weeks later.
- Log#16-20044, Incident Date: 05/07/16, Date reported: 06/04/16, Allegation: Report Incomplete/Inaccurate, Misreporting of Crime Statistics. (On 6/4/16, Captain Vucinaj emailed IAB command center and reported an allegation against Sgt Maxim, PO Backer and Sgt Leff of 101 Pct for Report Incomplete/Improper and Misreporting of Crime Statistic.) Reported the incident three weeks later.
- Log#17-19760, Incident Date: 05/23/17, Date reported: 05/25/17, Allegation: Report Incomplete/Inaccurate, Investigate Incomplete/Inaccurate, Perjury. (On 5/25/17, Captain Vucinaj called the IAB command center and reported an allegation against PO Bodai of TD-30 for Report Incomplete/Improper, Investigate Incomplete/Improper and Perjury.) Reported the incident two days later.

3. On April 12, 2017 and April 13, 2017, Captain Vucinaj was interviewed under the provisions of Patrol Guide 206-13 and stated in sum and substance that in connection with the aforementioned incidents, he had a hunch that there was a possible misconduct pertaining the logs reported by him to the Internal Affairs Bureau. He stated that he did not report the allegations as required because it was merely based on his hunch. Captain Vucinaj could not provide a reasonable explanation as to what took him from a week to (6) six months to notify Internal Affairs Bureau in certain logs during the performance of being designated as the Patrol Duty Captain. Furthermore, Captain Vucinaj admitted making OMNIFORM queries outside Patrol Borough Queens South for his own curiosity. Captain Vucinaj stated he did not notify Quality Assurance Division of any discrepancies noted during his queries. A review of Patrol Duty Captain Reports did not show him being involved in a matter that precludes him from notifying Internal Affairs Bureau in a timely manner.

4. Agency Attorney Javier Seymore, Department Advocate's Office, was conferred with regarding Charges and Specifications.

5. Sergeant Jaspreet Sandhu, Tax #937141, Internal Affairs Bureau/Special Investigations Unit, is the investigating officer. His regular days off are Saturday and Sunday.

6. For your information.


 Bienvenido Martinez
 Captain

DEFS000188

ENCLOSURE 2/29/19

NYPD V. CAPTAIN MARASH VUCINAJ (TAX#907538) 2017-17534

Page 1 of 2

**CHARGES AND SPECIFICATIONS**

PD 468-121 (Rev. 1-02)-Pent

Date
07/27/2017

| | | | | |
|--|------------------------------|----------------------------|---|---|
| Command 497 - INTERNAL AFFAIRS BUREAU | Serial No. TAB#126 | I.A.B. Log No. 17-28965 | I.A.B. Member Notified # PO Menis-Randazzo | Department Advocate's Office Serial Number 2017-17534 |
|--|------------------------------|----------------------------|---|---|

TO THE POLICE COMMISSIONER:

| | | | | |
|------------------------|---|---|----------------------------|-------------------------------|
| I hereby CHARGE | Rank-Title CPT | Name MARASH VUCINAJ | Shield No. 00000 | Tax Reg. No. 907538 |
| Squad or Chart No. | Command TRANSIT BORO BROOKLYN | Date Entered Dept. 02/28/1994 | | |

with VIOLATION OF DEPARTMENT REGULATIONS

SPECIFICATIONS

1 Said Captain Marash Vucinaj, currently assigned to Transit Borough Brooklyn, while on-duty, in Queens County, on or about November 14, 2015 through May 25, 2017, on ten (10) separate occasions, having become aware of or receiving an allegation of corruption or serious misconduct involving a Member of the Service, did fail and neglect to immediately notify his Commanding Officers and/or Internal Affairs Bureau Command Center, as required.

PG 207-21 PAGES 1 and 2

ALLEGATIONS OF CORRUPTION AND
SERIOUS MISCONDUCT AGAINST MOS

Bienvenido Martinez
BIENVENIDO MARTINEZ
CAPTAIN

Instructions: After all specifications are entered, list witnesses for the department. (If witness is civilian, enter name and address on Official Letterhead PD 158-151). If member of the force, give rank, name, shield number and command. Also include scheduled vacation (if any), chart, squad no., or working schedule of complainant, respondent and witnesses (if member of the department).

DEFS000189

NYPD V. CAPTAIN MARASH VUC (TAX#907538) 2017-17534

IAB#120

Page 2 of 2

1ST ENDORSEMENT

Executive Officer, IAB to the POLICE COMMISSIONER, July 28 2017
 concur with the issuance of charges and specifications.


 Brian H. O'Neill
 Assistant Chief

INSTRUCTIONS FOR SERVICE OF CHARGES AND SPECIFICATIONS

1. Respondent will sign and complete where appropriate:
 - a. original charges and specifications
 - b. vacation and military leave form
 - c. two (2) copies of instructions and receipt of charges and specifications
 - d. agreement to accept service of notice form (when requested in suspension cases only).
2. Respondent will receive:
 - a. one (1) copy of charges and specifications
 - b. one (1) copy of instructions and receipt of charges and specifications form

ACKNOWLEDGEMENT OF SERVICE

I acknowledge due personal service on me of the within Charges and Specifications and notice of Hearing.
 this 18th day of July, 2017 at 1100 AM/PM

WITNESS

(Rank-Title)

RESPONDENT

(Rank-Title)

DATE STAMP

D.A.O.

(Out)

CMD PREFER C & S

(In)

(Out)

HIGHER COMMAND

(In)

(Out)

D.A.O.

(In)

2017 JUL 31 A 11:34

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